UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,827	05/11/2001	Alex Lang	4989-009	6461

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EXAMINER
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ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 November 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-11,13-20 and 22-26* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-11,13-20 and 22-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>1-11.- 06</u>

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claim 1-7, 9-11, 13-20, and 22-26 are pending in this office action, claims 8, 12, and 21 are canceled and claims 24-26 are newly added.

2.   Applicant's arguments, filed November 22, 2005, have been fully considered and are persuasive.

Rejections

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4.   Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. (U.S. Patent No. 6,529,992) in view of McCown et al. (U.S. Patent No. 6,708,272).

        Regarding claims 1, 13, and 23, Thomas et al. teaches a portable device for engaging a host computing device comprising:

* A body (fig. 2);

* A memory within the body containing (fig. 2, ref. num 52):

- o Initial identification indicia to initially identify the portable device to the host computing device as a first device type in which a driver for the first device type is known to the host computing device (col. 5, lines 25-44);

- o Cleansing indicia providing instructions for the host computing device to remove at least certain information from the host computing device indicative of use of the host computing device while associated with the portable device (fig. 3, ref. num 228-234); and

- An interface associated with the memory and adapted to facilitate interaction with the host computing device (fig. 2, ref. num 102),

  - o Wherein the host computing device will detect the portable device as being the first device type and configure itself to interact with the portable device to provide the application for the applications running on the host computing device (col. 4, lines 8-16).

Thomas et al. does not teach software instructions to subsequently identify the portable device as a cryptographic service provider/second device type to the host computing device and provide a driver for the cryptographic service provider to allow the host computing device to effectively interact with the portable device to provide cryptography services for applications running on the host computing system, and wherein the host computer further configures itself to provide cryptographic services for the applications running on the host computing device.

McCown et al. teaches software instructions to subsequently identify the portable

device as a cryptographic service provider/second device type to the host computing

device and provide a driver for the cryptographic service provider to allow the host

computing device to effectively interact with the portable device to provide cryptography

services for applications running on the host computing system (col. 4, lines 12-23), and

wherein the host computer further configures itself to provide cryptographic services for

the applications running on the host computing device (col. 4, lines 56-67).

It would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to combine subsequently identifying the portable device as a

second type/cryptographic service provider, and configuring the host to provide the

cryptographic services to applications on the host, as taught by McCown et al., with the

device of Thomas et al. It would have been obvious for such modifications because

configuring the host computer to run the applications from the portable device allows a

user to maintain everything he or she needs, while using a portable disk (see col. 4,

lines 8-16 of Thomas et al.). The added benefit of cryptography services provided to

the host computing device allows an end-to-end encryption of data to ensure all data is

stored encrypted (see abstract of McCown et al.).

Regarding claim 2, Thomas et al. as modified by McCown et al. teaches wherein

the memory further contains service indicia providing instructions to provide a service

corresponding the **cryptographic service provider** (see col. 5, lines 59-65 of McCown

et al.).

Regarding claims 3 and 14, Thomas et al. as modified by McCown et al. teaches

wherein the service indicia includes instructions for the host computing device to

provide the service for applications running on the host computing device (see col. 4,

lines 8-16 of Thomas et al.).

Regarding claims 4 and 16, Thomas et al. as modified by McCown et al. teaches

further comprising a processing unit associated with said memory and wherein the

service indicia includes configuration instructions for said processing unit to provide the

cryptography service for the host computing device (see fig. 2, ref. num 106 of Thomas

et al.).

Regarding claim 5, Thomas et al. as modified by McCown et al. teaches wherein

the configuration indicia includes a file executable on the host computing device to

reconfigure the host computing device to recognize and interact with the portable device

as the **cryptographic service provider** (see fig. 4 of Thomas et al. and col. 5, lines 59-

65 of McCown et al.).

Regarding claim 6, Thomas et al. as modified by McCown et al. teaches wherein the memory further contains an application to run on the host computing device (see col. 4, lines 8-16 of Thomas et al.).

Regarding claims 7 and 18, Thomas et al. as modified by McCown et al. teaches wherein the first device type is a storage device (see col. 5, lines 25-44 of Thomas et al.).

Regarding claim 9, Thomas et al. as modified by McCown et al. teaches wherein said memory further contains at least one of the group consisting of private cryptography key, public cryptography key, and cryptography algorithm (see col. 4, lines 24-44 of McCown et al.).

Regarding claim 10, Thomas et al. as modified by McCown et al. teaches wherein the interface is one of the group consisting of electrical, optical, and radio frequency (see fig. 2, ref. num 102 of Thomas et al.).

Regarding claims 11 and 20, Thomas et al. as modified by McCown et al. teaches wherein the memory further contains deregistering indicia providing instructions for the host computing device to reconfigure the host computing device to a configuration state prior to interacting with the portable device (see col. 9, lines 35-46 of Thomas et al.).

Regarding claim 15, Thomas et al. as modified by McCown et al. teaches

wherein the configuration instructions to provide the cryptography services are

configured for running on the host computing device (see col. 5, lines 59-65 of McCown

et al.).

Regarding claims 17 and 22, Thomas et al. teaches a method comprising:

- Identifying a portable device to a host computing device as a first device type,

  which is known to the host computing device (col. 5, lines 25-44);

- Registering the portable device with the host computing device as the first device

  type (fig. 4); **and**

- **Removing at least certain information from the host computing device**

  indicative of use of the host computing device while associated with the

  portable device (fig. 3, ref. num 228-234).

Thomas et al. does not teach automatically identifying the portable device to the

host computing device as a cryptographic service provider/second device type; enabling

the portable device as the cryptographic service provider/second device type with the

host computing device based on information provided on the portable device; and

providing cryptography services for applications running on the host computing device

based on the information provided by the portable device.

McCown et al. teaches automatically identifying the portable device to the host computing device as a cryptographic service provider/second device type (col. 4, lines 12-23); enabling the portable device as the cryptographic service provider/second device type with the host computing device based on information provided on the portable device (col. 4, lines 12-23); and providing cryptography services for applications running on the host computing device based on the information provided by the portable device (col. 4, lines 56-67).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine identifying the portable device as a cryptographic service provider, enabling the portable device as a cryptographic service provider, and providing cryptography for applications running on the host computer, as taught by McCown et al., with the method of Thomas et al. It would have been obvious for such modifications because configuring the host computer to run the applications from the portable device allows a user to maintain everything he or she needs, while using a portable disk (see col. 4, lines 8-16 of Thomas et al.). The added benefit of cryptography services provided to the host computing device allows an end-to-end encryption of data to ensure all data is stored encrypted (see abstract of McCown et al.).

Regarding claim 19, Thomas et al. as modified by McCown et al. teaches

wherein the second device type is a cryptographic service provider (see fig. 1, ref. num

24 of McCown et al.).

Regarding claim 24, Thomas et al. as modified by McCown et al. teaches

wherein the body and memory are integrally formed with one another such that the

memory is not readily removed form the body (see fig. 2 of Thomas et al., all

components are sealed in a single package).

Regarding claim 25, Thomas et al. as modified by McCown et al. teaches

wherein the memory contains at least four megabytes of flash memory (see col. 4, lines

44-56 of Thomas et al., Zip disks are well known to have more than 4 MB's of memory).

Regarding claim 26, Thomas et al. as modified by McCown et al. teaches

wherein the cleansing indicia includes instructions to de-register the cryptographic

service provider so as to prevent access to selected functions, services, and drivers

after the portable device has been removed (see col. 9, lines 35-46 of Thomas et al.).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brandon S. Hoffman whose telephone number is 571-

272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Brenda H

BH

Primary Examiner
AU 2131
1/25/06